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8	Attorneys for Plaintiff	
9	UNITED STATES DISTRICT COURT	
10	NORTHERN DISTRICT OF CALIFORNIA	
11	OAKLAND DIVISION	
12	UNITED STATES OF AMERICA, No. CR 06-00189 SBA	
13	Plaintiff,) STIPULATION TO RESCHEDULE HEADING FOR CHANGE OF BLEADING	
14	v.) HEARING FOR CHANGE OF PLEA AND SENTENCING; ORDER EXCLUDING) TIME	
15	MARK GIBSON,	
16	Defendant.	
17	Plaintiff, by and through its attorney of record, and defendant, by and through his	
18	attorney of record, hereby stipulate and ask the Court to find as follows:	
19	1. Defendant Mark Gibson is currently scheduled to appear before this Court on	
20 21	February 27, 2007, for change of plea and judgment and sentencing pursuant to a binding plea	
21 22	agreement that has been submitted to the Court for consideration pursuant to Federal Rule of	
23	Criminal Procedure 11(c)(1)©).	
24	2. Counsel for the government is required to be out of the district on work-related	
25	travel from February 12 through 22, 2007, and will not be available to file the necessary	
26	sentencing memoranda by the currently scheduled hearing.	
27	3. The parties thus request that the hearing for change of plea and judgment and	
28	sentencing be continued two weeks until 10 a.m. on March 13, 2007.	

1	4. The parties further stipulate and request that the Court find and order that the time		
2	period from February 27, 2007, through March 13, 2007, is excludable under the Speedy Trial		
3	Act pursuant to 18 U.S.C. § 3161(h)(1)(I) because that period of delay results from consideration		
4	by the Court of a proposed plea agreement entered into by the defendant and the government		
5	pursuant to Federal Rule of Criminal Procedure 11(c)(1)©).		
6	IT IS SO STIPULATED.		
7	DATE: February 9, 2007	Respectfully submitted,	
8		KEVIN V. RYAN	
9		United States Attorney	
10		GARTH HIRE	
11		Assistant United States Attorney	
12		Attorneys for Plaintiff UNITED STATES OF AMERICA	
13		CIVILD STATES OF AWIERICA	
14	DATE: February 9, 2007	/s/ NINA WILDER, ESQ.	
15		Counsel for Mark Gibson	
16		COMMON TOT 1/11/11/11 C100011	
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28	¹ I hereby attest that I have on file all the holograph signatures for any signatures indicated by a "conformed" signature (/s/) within this e-filed document		

ORDER

FOR GOOD CAUSE SHOWN, IT IS SO FOUND AND ORDERED THAT:

The currently scheduled February 27, 2007, hearing for change of plea and judgment and sentencing is hereby vacated. Time is excluded for purposes of the Speedy Trial Act from February 27, 2007, through the hearing date of March 13, 2007, pursuant to 18 U.S.C.3161(h)8(A)&(B)iv and § 3161(h)(1)(I) because that period of delay results from consideration by the Court of a proposed plea agreement entered into by the defendant and the government pursuant to Federal Rule of Criminal Procedure 11(c)(1)©), and to allow for continuity of Government Counsel.

DATED: <u>2/9/07</u>

HONORABLE SAUNDRA BROWN ARMSTRONG UNITED STATES DISTRICT JUDGE